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JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

ELECTIONS DIVISION
(573) 751-2301

June 2, 2021

The Honorable Nicole Galloway
State Auditor
State Capitol Building
Jefferson City, MO 65101

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JUN 02 2021

STATE AUDITORS OFFICE

RE: Petition approval request from Austin Shaffer regarding a proposed constitutional amendment to Article XXX (2022-038)

Dear Auditor Galloway:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Austin Shaffer on June 2, 2021.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

John R. Ashcroft

cc: Hon. Eric S. Schmitt
Sheri Hoffman
Trish Vincent

STATE

In a class action lawsuit, notwithstanding the provisions of section 502.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

County _____

INITIATIVE PETITION

To the Honorable John R. Ashcroft, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or city of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 8th day of November, 2022, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

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CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF _____

I, _____, being first duly sworn, say (print names of signers)

Signature _____

Date Signed _____

Registered Voting Address _____

Zip Code _____

Cong. District _____

Printed First and Last Name _____

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JOHN R. ASHCROFT

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County (or city of St. Louis). FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY. I am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer: _____

Signature of Affiant (Person obtaining signatures) _____

Street Address of Affiant _____

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(Seal)

Printed Name of Affiant _____

City, State and Zip Code of Affiant _____

Signature of Notary _____

Address of Notary _____

Be it resolved by the people of the state of Missouri that the Constitution be amended:

so that it establishes election integrity procedures to (a) prevent attempts to fraudulently influence Missouri's elections, and (b) instill confidence in Missouri voters in the reported results of its elections.

Article XXX.

Sec. 1. Prohibited Election Conduct

(a) No voting machine may be utilized in any election to count or calculate votes. All votes shall be counted by hand by the judgment of the human eye. All counting shall occur by two persons.

(b) Any differences or uncertainties in counting by the two shall only be resolved by an individual approved and appointed in advance of the election by the state legislature.

(c) Mail in ballots shall be prohibited, except when requested by a voter in advance and after showing state-issued photo identification or a state-issued driver's license.

(d) All internet connectivity shall be discontinued at any polling place during the entire time votes are cast and counted. In addition, all persons serving in any capacity at a polling location, except observers, shall from the time of poll closing until the vote has been finally and publicly reported check in their cell phones so the counting occurs without the potential bias of any electronic sources of information of vote totals from other locations.

(e) Local law enforcement officials shall prohibit the delivery of boxes of any kind at a polling place from the time the polls are first open for voting until after all votes have been counted and reported.

Sec. 2. Registration Requirements

All registration to vote shall occur on or before 14 days prior to an election day. Such registration shall require the registering voter to show valid state-issued photo identification or a valid state-issued driver's license. No identification or driver's license which has expired shall be valid.

Sec. 3. Election Observer and Reporting Requirements

(a) No early voting shall be permitted more than two weeks before election day. All mail in ballots must be received two days before election day. Otherwise, they shall not be counted. Mail in balloting cannot be permitted to delay the announcement of full election totals within four hours after the poll's closing.

(b) All voters in all elections shall be required to show valid state-issued photo identification or a valid state-issued driver's license. No identification or driver's license which has expired shall be valid.

(c) All observers in a polling station shall be located within five feet of any station they desire to observe. Observers inside a polling station shall also be permitted to photograph any or all activities they desire. Private citizens outside a polling station shall be permitted to photograph

any and all activity they desire and shall be free from any liability of any kind for such photographing. All photographing shall be understood to include and allow video-taping and the recording of sound and voice.

(d) All ballots shall be counted only at and reported only from the place where the votes are cast.

(e) Under no condition shall the counting of votes be stopped between the time that a poll has closed and four hours thereafter unless completed.

(f) All votes shall be counted and reported within four hours of the time voting has closed. No votes being reported thereafter shall be valid.

(g) All vote totals shall be reported from all locations on the following basis: (a) by 11:59 p.m. of the night before the election (relating to early voting and mail in ballots); (b) at one hour after the scheduled polling closing time; (c) at two hours after the scheduled polling closing time; (d) at three hours after the scheduled polling closing time; and, finally, (e) at four hours after the scheduled polling closing time.

Sec. 4. Legislative Election Authority

(a) The legislature of the state shall have authority in elections for president and vice president of the United States to adjust or void any vote totals it determines appropriate. It may also ignore any vote totals and exercise its right to appoint electors as specified under the United States Constitution.

(b) Any alleged violation of state election law may be remedied by a complaint filed with the state legislature, who shall promptly according to its own procedures review, receive evidence, and make a final ruling on the same.

Sec. 5. Inspection Rights

All registration material, election-related computer files and data bases, and actual ballots cast shall remain available for inspection by representatives of any state party, the legislature, the courts, and any group of 1,000 or more requesting registered voters, for 120 days after the election.

Sec. 6. Election Crimes

(a) Any person (a) voting twice or more times in a single election, or (b) voting on behalf of a deceased person, or (c) voting using another person's name, or (d) voting who is not a United States citizen shall be guilty of treason against the state.

(b) Election officials denying any right to observers to an election shall be guilty of a Class III felony.

(c) Any person who resets or erases any election files or data bases, or destroys or misplaces any ballots prior to the end of the 120-day inspection period shall be guilty of a Class III felony.

(d) Any polling supervisor who fails to report partial and final results on the schedule shall be guilty of a Class III felony.

(e) Any ballot counter who intentionally, with a lack of good faith, causes ballots to be adjudicated shall be guilty of a Class III felony.